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**Case: Spencer Norman, et al v. Camden County,
et al**

Transcript of Sheriff Dwight Franklin

Date: October 10, 2013

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Exhibit

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1 **VIDEOGRAPHER:** We're on the record at
2 10:03 a.m. Today's date is October 10th, 2013.
3 We're here today for the deposition of Sheriff
4 Dwight Franklin, being taken in the matter of
5 Spencer Norman, et al. vs. Camden County, et al. At
6 this time, would counsel please give their
7 representations for the record?

8 **MR. CARNIE:** Kevin Carnie for the
9 plaintiffs.

10 **MR. HENSON:** Keith Henson on behalf of all
11 of the defendants.

12 **VIDEOGRAPHER:** Would the reporter please
13 swear the witness.

14 SHERIFF DWIGHT FRANKLIN,
15 of lawful age, having been first duly sworn to
16 testify the truth, the whole truth, and nothing but
17 the truth in the case aforesaid, deposes and says in
18 reply to oral interrogatories propounded as follows,
19 to-wit:

20 EXAMINATION

21 **QUESTIONS BY MR. CARNIE:**

22 **Q** Would you please state your name?

23 **A** Dwight Franklin.

24 **Q** Are you employed, sir?

25 **A** Yes.

13

1 **Q** Okay. And where is Camden County located?

2 **A** It's in the central part of the State of
3 Missouri. It encompasses the Lake of the Ozarks,
4 the majority of it.

5 **Q** Okay. And how -- about how large of an
6 area is that?

7 **A** It has 665 miles of roadway that we have
8 to patrol.

9 **Q** Now, is the Camden County Sheriff's Office
10 broken down into different divisions?

11 **A** Yes.

12 **Q** What divisions are there?

13 **A** There's court security, operations and
14 corrections.

15 **Q** And I take it the patrol officers fall
16 under the operations division?

17 **A** The patrol, yes, sir.

18 **Q** Okay. And court security is what it
19 sounds like, it's deputies stationed inside the
20 courthouse?

21 **A** Yes, bailiffs and security.

22 **Q** And corrections would be at the jail?

23 **A** Yes.

24 **Q** Now, you mentioned you are the -- you're
25 the Sheriff of Camden County, correct?

14

1 **A** Yes, sir.

2 **Q** Is that an elected position?

3 **A** Yes.

4 **Q** How long have you been in that position?

5 **A** I started my second term this year. I
6 had -- the first term was four years, and this is
7 the first year of the second term.

8 **Q** When was that first term? What did that
9 start?

10 **A** 2009, January 1 of 2009.

11 **Q** Okay. So now when did -- I guess when did
12 you run for reelection?

13 **A** I was reelected to start January 1, 2013.
14 2012 is the election process. Primary and general
15 is in 2013. Or 2012, excuse me.

16 **Q** As the Sheriff of Camden County, what are
17 your responsibilities?

18 **A** To oversee the Sheriff's Office.

19 **Q** And what does that include doing on a
20 daily basis?

21 **A** Everything. Basically ensure that the
22 operations of the Sheriff's Office is getting
23 completed.

24 **Q** And are you -- are you stationed in an
25 office in Camdenton? Or where is that at?

15

1 **A** It's in Camdenton, yes, sir, in the
2 Sheriff's Office.

3 **Q** Okay. And do you on a daily basis go into
4 that office or do you go out and a patrol as well?

5 **A** I primarily stay in the office and conduct
6 the day-to-day operation, oversight of the Sheriff's
7 Office, yes. On occasion, I'll go -- I'll get to go
8 out and serve a search warrant with them or
9 something like that, but very rarely.

10 **Q** Now, prior to being elected as the Sheriff
11 of Camden County, what did you do for employment?

12 **A** I was a Missouri State Highway Patrol
13 Sergeant. I was in the Missouri State Highway
14 Patrol for 29 years.

15 **Q** Okay. And does that take us back to
16 college or high school for you before that?

17 **A** It was right out of high school.

18 **Q** Okay. Have you attended any college?

19 **A** No, sir.

20 **Q** You completed high school?

21 **A** Yes.

22 **Q** And then you went into the Missouri
23 Highway Patrol?

24 **A** I had odd jobs until I turned 20, 22 years
25 old. I was 22 in July of 1979 when I was hired by

18

1 you did more than just -- than just traffic and
2 accidents, right?

3 **A** Yes, yes. I was in marijuana eradication.
4 We did a lot of things. I was on the SWAT team,
5 sniper on the SWAT team. It's just many areas that
6 you covered over the career.

7 **Q** And the area that you would -- you would
8 patrol, that changed throughout the years?

9 **A** It was -- it was basically Camden and
10 Miller County for the majority of my career around
11 the Lake. Then I went to Versailles and worked
12 Morgan and Moniteau County there.

13 **Q** Sheriff, have you reviewed the actions of
14 the deputies involved in this incident?

15 **A** Yes.

16 **Q** Okay. Have you reviewed the force used?

17 **A** Yes.

18 **Q** Did any of the deputies involved in this
19 incident violate any policies of Camden County?

20 **A** No.

21 **Q** Did any of the deputies involved in this
22 incident violate any rules of Camden County?

23 **A** I'm not sure I understand what rules.

24 What -- what do you mean by rules?

25 **Q** Does Camden County have any rules?

30

1 **A** Yes.

2 **Q** Who's responsible for the training of
3 deputies?

4 **A** When I first took office, we had --

5 **MR. HENSON:** He just asked who.

6 **A** Who? I'm responsible for the overall
7 operation and training in the Sheriff's Office, yes.

8 **Q** (By Mr. Carnie) Okay. So you're
9 responsible for the training of the deputies?

10 **A** Yes.

11 **Q** And has it always been that way --

12 **A** I guess ultimately.

13 **Q** -- since you --

14 **A** Ultimately I'm responsible. I delegate
15 that responsibility to different people in the
16 organization, in my command staff, so --

17 **Q** Okay. And who have you delegated
18 responsibility to handle training requirements?

19 **A** Since I took office or the changes I made
20 or --

21 **Q** Yeah. Let's talk -- let's talk about when
22 you first took office, who did you delegate
23 responsibility to for training?

24 **A** Captain Tony Helms was responsible for
25 handcuffing techniques, firearms, taser, those types

1 can make us a copy of it here. I only had one copy
2 of that.

3 **MR. CARNIE:** Okay.

4 **MR. HENSON:** And I sent it to you. I'll
5 see if Scott, the gentleman here, can make me a copy
6 of it. And if he can, then I'll just let the court
7 reporter take the original. If he cannot, then I
8 may take the original and will send the court
9 reporter one, okay?

10 **MR. CARNIE:** Okay. That's great.

11 **MR. HENSON:** All right.

12 **MR. CARNIE:** And I need to put my order in
13 with the court reporter. I'll take an Etran and a
14 mini.

15 SIGNATURE WAIVED, BY AGREEMENT OF COUNSEL
16 AND WITNESS

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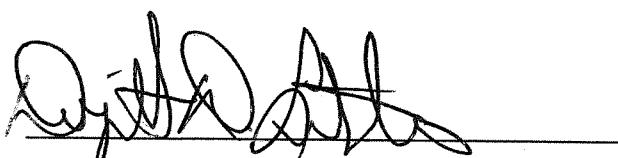
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1 Comes now the witness, Sheriff Dwight Franklin,
2 and having read the foregoing transcript
3 of the deposition taken on 10/10/2013,
4 acknowledges by signature hereto that it is a
5 true and accurate transcript of the testimony given
6 on the date hereinabove mentioned.

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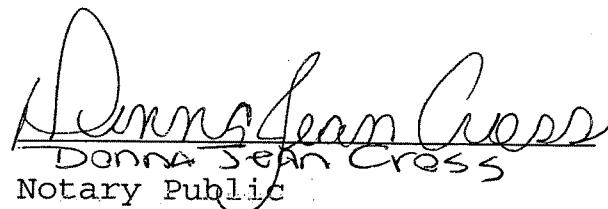
10 Sheriff Dwight Franklin

11

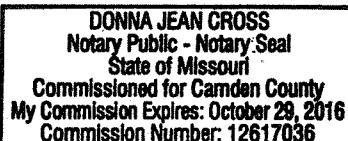
12 Subscribed and sworn to me before this
13 28th day of October, 2013.

14 My Commission expires - 10-29-16

15

16 
17 Donna Jean Cross
18 Notary Public

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